

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

LIFE TECHNOLOGIES CORPORATION,

Plaintiff,

v.

**LIFE TECHNOLOGIES
CORPORATION, *et al.*,**

Defendants.

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Civil Case No.: RWT 10cv3527

ORDER

On July 6, 2012 this Court referred this case to Chief Magistrate Judge William Connelly for the resolution of all discovery and related scheduling matters. [ECF No. 63]. At the request of this Court, Judge Connelly held a hearing, on May 16, 2014 [ECF No. 146] on Plaintiff's Motion to Show Cause Why Dr. Krishnamurthy Should Not be Held in Contempt and Motion for Order Holding Him in Contempt. [ECF No. 134]. On August 22, 2014, Judge Connelly issued his Report and Recommendations on Plaintiff's Motions, [ECF No. 149], recommending that Interested Party Dr. Krishnamurthy Govindaraj ("Dr. Krishnamurthy") be held in contempt of his January 9, 2014 order. [ECF No. 122]. On September 5, 2014, Dr. Krishnamurthy filed objections to Judge Connelly's Report and Recommendations.

Upon consideration of Dr. Krishnamurthy's objections, it is this 10th day of September, 2014, by the United States District Court for the District of Maryland,

ORDERED, that the objections filed by Dr. Krishnamurthy [ECF No. 150] to the August 22, 2014 Report and Recommendations of Judge Connelly [ECF No. 149] are hereby

OVERRULED, the Court concluding that the challenged Report and Recommendations were neither clearly erroneous nor contrary to law; and it is further

ORDERED, that Plaintiff's Motion to Show Cause Why Dr. Krishnamurthy Should Not be Held in Contempt and Motion for Order Holding Him in Contempt [ECF No. 134] is hereby **GRANTED**; and it is further

ORDERED, that Dr. Krishnamurthy is hereby held in contempt of Judge Connelly's order of January 9, 2014 [ECF No. 122]; and it is further

ORDERED, that Plaintiff's email consent forms are hereby considered to comply with the provisions of the Stored Wire Electronic Communications Act, 18 U.S.C. § 2701 *et seq.*, and that email service providers such as Google/gmail, Yahoo!, Hotmail, and the Uniformed Services University of the Health Sciences may rely on those consent forms and Judge Connelly's January 9, 2014 order [ECF No. 122] in providing the requested information; and it is further

ORDERED, that Dr. Krishnamurthy take all steps necessary to allow Plaintiff to complete and serve the subject email consent forms and secure the emails, content, and associated documents and information sought; and it is further

ORDERED, that Plaintiff's counsel is to submit the email consent forms to Dr. Krishnamurthy's counsel for Dr. Krishnamurthy's signature. Dr. Krishnamurthy will be given five business days to sign the consent email forms and return them to Plaintiff's counsel. If the forms are not signed within that time period, the Court will issue a warrant for Dr. Krishnamurthy's arrest and direct the United States Marshal to arrest and detain Dr. Krishnamurthy until such time as he purges himself of his contempt by signing the consent email forms; and it is further

ORDERED, that Plaintiff is to file with the Court within 28 days a pleading outlining the monetary damages it has sustained as a result of the contempt of Dr. Krishnamurthy. Plaintiff is to separate out the attorney's fees it has incurred in connection with its Motion to Hold Dr. Krishnamurthy in Contempt [ECF No. 134] and should also set forth its evidence as to whether Dr. Krishnamurthy willfully disobeyed Judge Connelly's January 9, 2014 order. [ECF No. 122]. Dr. Krishnamurthy shall file any response within 14 days of this filing by Plaintiff. The Court will hold in abeyance ruling on these issues until the requested pleading has been filed and Dr. Krishnamurthy has had an opportunity to respond.

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/s/

ROGER W. TITUS
UNITED STATES DISTRICT JUDGE